

**United States District Court, Northern District of Illinois**

Name of Assigned Judge or Magistrate Judge	Charles R. Norgle	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	97 C 3035	DATE	7/6/2001
CASE TITLE	In Re: IN RE: MERCURY FINANCE COMPANY		

**MOTION:** [In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

[View Details](#)

- (1)  Filed motion of [ use listing in "Motion" box above.]
- (2)  Brief in support of motion due \_\_\_\_\_.
- (3)  Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4)  Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5)  Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6)  Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7)  Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8)  [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9)  This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  
 FRCP4(m)    General Rule 21    FRCP41(a)(1)    FRCP41(a)(2).
- (10)  [Other docket entry] Enter Order on Attorney's Fees and expenses Regarding Company, Officers and Directors Settlement Fund.
- (11)  [For further detail see order attached to the original minute order.]

	No notices required, advised in open court.		Document Number
	No notices required.	number of notices	
	Notices mailed by judge's staff.	JUL 9 2001 date docked	
	Notified counsel by telephone.		
✓	Docketing to mail notices.	docketing deputy initials	(75)
	Mail AO 450 form.		
	Copy to judge/magistrate judge.	date mailed notice	
	EF	mailing deputy initials	
	courtroom deputy's initials	Date/time received in central Clerk's Office	

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOCKETED  
JUL 9 2001

In the Matter of:	)	
MERCURY FINANCE COMPANY OF ILLINOIS	)	Civil Action No. 97 C 3035
Consolidated Pretrial Proceeding	)	Hon. Charles R. Norgle, Sr.
	)	
	)	

ORDER ON ATTORNEYS' FEES AND EXPENSES REGARDING  
COMPANY, OFFICERS, AND DIRECTORS SETTLEMENT FUND

WHEREAS, this matter came before the Court for hearing on July 6, 2001, in connection with the application of Class counsel for an award of attorneys' fees and expenses from the fund created by the settlements with Mercury Finance Company and the individual defendants, and for approval of a plan of distribution of net settlement funds to members of the Class.

WHEREAS, prior to the hearing, a Supplemental Class Notice was directed to the Class by first class mail, and a Summary Supplemental Notice was published in the Wall Street Journal and in the Chicago Tribune.

WHEREAS, the Supplemental Class Notice informed the Class of the application of Plaintiffs' Lead Counsel, made on behalf of plaintiffs' counsel in the litigation, for an award of attorneys' fees and expenses from the amount allocated to the Class as a result of the conclusion of proceedings in the Bankruptcy Court regarding the settlements with defendants Mercury Finance Company and individual officers and directors or Mercury, which settlements previously had been approved by this Court. The amount allocated to the Class, approximately \$15,900,000 plus interest, constitutes the Company, Officers, and Directors Settlement Fund. The Supplemental

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Class Notice informed the Class that counsel were applying for fees not in excess of one-third of the Fund (after subtraction of expenses awarded) and expenses not previously reimbursed in connection with the settlement with KPMG Peat Marwick LLP and not to exceed \$400,000.

WHEREAS, Class members also were advised of the procedures for submitting any objections they might have to the application, and no objections have been submitted.

WHEREAS, the Court has considered the application and all matters pertaining to it that were submitted at or in connection with the hearing.

On the basis thereof, and on the basis of all the files, record, and proceedings herein,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. The Application for Fees and Expenses submitted by Plaintiffs' Lead Counsel is granted and counsel for plaintiffs and the Class are hereby awarded attorneys' fees in the amount of one-third of the Company, Officers, and Directors Settlement Fund including the final portion expected to be received shortly from the bankruptcy trust (after subtraction of expenses awarded), and expenses in the amount of \$339,359.18, together with interest earned thereon at the rate earned by the Settlement Fund until the date of payment. The Court finds that the foregoing awards are fair, reasonable, and appropriate under the circumstances of this litigation and in view of the benefits obtained for the Class, the risks taken, the services provided, and the complexity and difficulty of the case. The amounts awarded may be withdrawn from the Settlement Fund by Plaintiffs' Lead Counsel, who shall determine the allocation and distribution of such amounts among Plaintiffs' counsel in a fashion which, in the opinion of Plaintiffs' Lead Counsel, fairly compensates counsel for their respective contributions to the prosecution of the litigation.

2. There is no just reason for delay in the entry of this Order, and immediate entry by the Clerk of the Court is expressly directed pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

3. The Court continues to retain jurisdiction of all matters related to the implementation and administration of the settlements, including but not limited to matters pertaining to Class members' claims, the distribution of settlement funds pursuant to the plan of distribution, and the resolution of any dispute concerning settlement-related matters.

IT IS SO ORDERED.

DATED:

7-6-01



THE HONORABLE CHARLES R. NORGLLE, SR.  
UNITED STATES DISTRICT JUDGE